

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

AARON HASSAY,
Plaintiff,
v.

UNITED STATES OF AMERICA,
Defendant.

Case No. [18-cv-04934-TSH](#)

**ORDER GRANTING MOTION TO
EXTEND EXPERT DISCOVERY
DEADLINES**

Re: Dkt. No. 62

On April 22, 2020, the Court entered a Stipulation and Order continuing discovery, which set the parties' expert disclosure deadline for June 23, 2020, the rebuttal expert disclosure deadline for July 15, 2020, and the close of expert discovery for August 7, 2020. ECF No. 59. Plaintiff Aaron Hassay now moves the Court to continue the rebuttal expert disclosure deadline to August 7 and the close of expert discovery to August 17, arguing that doing so will save significant resources by both parties and encourage settlement of the case. ECF No. 62. Specifically, on July 10, 2020, the parties engaged in a settlement conference before Judge Westmore, at which time they did not reach settlement but scheduled a subsequent settlement conference for July 31. ECF 61. Hassay argues that extending the deadlines would defer any time or expense associated with expert discovery until after the parties can continue their settlement negotiations, and that doing so will further incentivize settlement.

In response, the government argues the rebuttal expert deadline should not be continued because Hassay has known about it for three months. ECF No. 63. It notes that, under Hassay's request, he would have three more weeks to prepare an expert rebuttal and up to eight weeks to prepare for and depose the government's expert, while the government would have approximately two weeks to receive his rebuttal expert report and to take his expert's deposition. The

1 government is amenable to continuing any expert depositions until after the parties' next
2 settlement conference on July 31 but asks that Hassay be required to comply with the current
3 rebuttal expert deadline.

4 Federal Rule of Civil Procedure 16(b)(4) provides that a court may extend a discovery
5 deadline upon a showing of good cause. Here, the Court finds good cause exists because Hassay
6 filed his request three days after the initial settlement conference with Judge Westmore and there
7 appears to be no value in forcing him to incur the expense of a rebuttal report in advance of the
8 July 31 settlement conference. Accordingly, the Court **GRANTS** Hassay's request and extends
9 the rebuttal expert deadline to August 7, 2020 and the deadline for expert discovery to August 17,
10 2020.

11 **IT IS SO ORDERED.**

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13 Dated: July 14, 2020

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15 THOMAS S. HIXSON
16 United States Magistrate Judge
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